

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Governor Jesse Ventura, a/k/a James G.
Janos, an individual,

Civil No. 0:12-cv-00472

Plaintiff,

vs.

DECLARATION OF
GUY BUDINCAK

Chris Kyle, an individual,

Defendant.

I, Guy Budinscak, do state that the following facts are true and correct to the best of my knowledge and belief:

1. I provide this Declaration based on my personal knowledge and information and do so from my state of residence in the State of New Hampshire.
2. I am a graduate of the Naval Academy and served in the Iraq War as a Navy SEAL. I was on SEAL Team 3 and was twice deployed to Iraq with Chris Kyle.
3. Chris and I were deployed to Ramadi in April 2006. We were in Charlie platoon. Then in 2008 Chris and I were deployed to Al Qaim and later to Baghdad as part of Delta platoon.
4. I first met Chris in April 2005 as our platoon prepared to deploy.
5. Chris mentions me in his book *American Sniper* a number of times, using the pseudonym "L.T." I have read the entire book.



6. I left Ramadi a couple of weeks earlier than the rest of my team because my wife had been diagnosed with cancer (she has since recovered). The last operation in which I participated in Ramadi was with Chris, Ryan Job, and Marc Lee. Marc was killed a few days—maybe a week—after I left Iraq for the United States. While I was in the United States, Mikey Monsoor, a SEAL from another platoon, was also killed.

7. Mikey was a good friend of mine. We were dive buddies in SEAL qualification training.

8. I went to Mikey's funeral with several of my teammates. After the funeral, Mikey's family and friends gathered at McP's Irish Pub. I arrived there at about 1 or 2 in the afternoon.

9. Jesse Ventura was also at McP's that afternoon. I'm not sure if he was there when I got there or if he arrived shortly after I did.

10. I was interested in meeting Ventura. He is well-known in the SEAL community, and I viewed him as someone who, as a wrestler-turned-governor, had sort of parlayed his military experience and written his own story.

11. Sometime around 2 or 3 p.m., I was sitting with Chris and Ryan. Ryan had been shot in Iraq and had just arrived back on the west coast after being at Bethesda Naval Hospital. Ryan was blinded as a result of his injuries and Chris and I thought it would be nice if we could get Ventura to talk to him.

12. I thought Ventura would jump at the chance to speak to someone like Ryan, who had given so much in service to his country, but I was underwhelmed. Ventura only

talked to Ryan for a couple of minutes and was not very charismatic. He mostly wanted to talk about himself.

13. He was also really down on the U.S. government and President Bush. He was saying that we couldn't trust the government and that Iraq was a quagmire. He was really out there. I was definitely turned off. I remember losing any respect I might have had for him at that point.

14. After that, Ventura returned to the table where he had been sitting with some people who appeared to be about his age. I don't know for sure whether Ventura was drinking. He acted like he was under the influence of something. He was scruffy and strung-out looking. I saw him later in the night and his eyes seemed glazed over.

15. Ventura also seemed to get louder and louder as the day wore on, and he was making comments that bothered people who were at McP's to mourn Mikey. I remember, for example, that Marc Lee's mom, Debbie, was upset. She thought Ventura was being disrespectful in the way he was talking about SEAL casualties. I didn't personally hear him run down the SEAL teams, but I'm certain it happened. A bereaved mother wouldn't make up that kind of story.

16. I was drinking some, but not excessively. Because I was an officer, I felt a certain responsibility to drink less than everyone else and maintain a certain control over the events. I definitely had my faculties about me the entire time I was at McP's.

17. Chris was drinking too, but neither he nor anyone else seemed to be going overboard. We were there to honor our fallen comrade, and one way that SEALs do that

is to try and have a little fun. But it was a somber occasion, and no one was just sitting next to a keg refilling his glass all night.

18. Sometime after dark—it was probably between 9 and 11 p.m.—there was a scuffle out near the patio. I made my way over to the area, where I learned from the group of people who had gathered that Chris had punched Ventura after Ventura had made a comment to the effect that the SEALs deserved to lose a few guys.

19. By the time I got to the scene, Ventura had picked himself up off the ground and Chris was leaving. I didn't personally see Chris punch Ventura and I didn't personally hear Ventura say "You deserve to lose a few." But I have no doubt that Chris punched Ventura and that he did so because Ventura said something offensive.


20. In fact, a lot of people wanted a piece of Ventura that day and some of them viewed the incident as another example of Chris being in the right place at the right time. Ventura was throwing his weight around, he got in the wrong guy's face, and he got called on it.

21. The story of Chris punching Ventura definitely took off within the SEAL community on the West Coast. It spread like wildfire within Charlie and Delta platoons especially. We joked—Chris's nickname is "The Legend"—and this was just another reason that name is appropriate. A bunch of us—including Jeremy Beal and Kevin Lacz—actually went to a concert a few months after the fight and talked about it.

22. I got to know Chris pretty well during our training and deployments. He's a guy who shoots from the hip and doesn't sugar-coat things. I believe he told the story about punching Ventura as he remembered it.

I certify under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge and belief.

Dated at Bedford, New Hampshire, this 12 day of March, 2012.



Guy Budinscak